

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

INTERNATIONAL MARKET BRANDS,)	
)	
Plaintiff and)	
Counterclaim Defendant,)	
)	
v.)	Civ. No. 1:09-cv-81E
)	Under Seal
MARTIN INTERNATIONAL)	
CORPORATION,)	
)	
Defendant and)	
Counterclaim Plaintiff,)	
MARTIN INTERNATIONAL)	
CORPORATION,)	
)	
Third-Party Plaintiff,)	
)	
v.)	
)	
C.A. CURTZE, INC.,)	
JACABOSON FOOD SERVICE, INC., and)	
NORTHERN FROZEN FOODS, INC. d/b/a)	
NORTHERN HASEROT,)	
)	
Third-Party Defendants,)	

ORDER

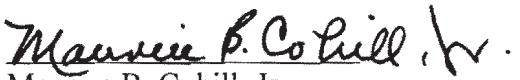
AND NOW, this 24th day of October, 2012, it is hereby ORDERED, ADJUDGED, and
DECREED that Martin International Corporation's Motion for Partial Summary Judgment [ECF
No. 51] is hereby GRANTED as follows:

1. Martin's Motion for Summary Judgment is GRANTED as to Count I of its

Counterclaim against IMB for Federal Trademark Infringement. Judgment is entered in favor of Martin and against IMB.

2. Martin's Motion for Summary Judgment is GRANTED as to Count I of its Third-Party Complaint against Curtze, Jacobstein, and Haserot ("IMB Defendants") for Federal Trademark Infringement. Judgment is entered in favor of Martin and against Curtze, Jacobstein, and Haserot.

A pre-trial conference is scheduled for the matters of Counts II and III false designation and representation of origin and unfair competition, and for preclusion of IMB obtaining a registration of its United States Trademark Application Serial Nos. 77/159,769 and 77/609,203 of the Counter Claim and Count II false designation of the Third Party Claim in the Honorable Maurice B. Cohill, Jr.'s Pittsburgh chambers, Suite 8170, U.S. Courthouse and Post Office, 700 Grant Street, Pittsburgh, PA 15219 on Wednesday, November 14, 2012 at 1:00 pm.


Maurice B. Cohill, Jr.
Senior District Court Judge